

ORDINANCE NO. 2006-011

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING SCHEDULE "A" OF CHAPTER 8.5, ARTICLE II, PALM BEACH COUNTY CODE (THE "CODE ENFORCEMENT CITATION ORDINANCE OF PALM BEACH COUNTY, FLORIDA") TO ADD INFRACTIONS FOR VIOLATIONS OF CHAPTER 8 OF THE PALM BEACH COUNTY CODE (THE "PALM BEACH COUNTY CABLE ORDINANCE"); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, authorizes counties to adopt ordinances consistent with general and special law to provide for the health, safety and welfare of its citizens; and

WHEREAS, Section 162.21, Florida Statutes, authorizes local governments to establish a civil citation system for the enforcement of codes and ordinances; and

WHEREAS, Chapter 8 of the Palm Beach County Code (the "Palm Beach County Cable Ordinance") authorizes the County to provide for the regulation of cable television systems utilizing County rights-of-way; and

WHEREAS, Chapter 8.5, Article II, of the Palm Beach County Code (the "Code Enforcement Citation Ordinance of Palm Beach County, Florida") establishes a civil citation system for the enforcement of codes and ordinances and authorizes the assessment of civil penalties as specified in Schedule "A" thereof; and

WHEREAS, the Board of County Commissioners desires to amend said Schedule "A" to add infractions for violations of the Palm Beach County Cable Ordinance; and

WHEREAS, the Board of County Commissioners has determined that the revisions to Schedule "A" set forth herein will promote, protect and improve the health, safety and welfare of the citizens of Palm Beach County.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Schedule "A" of Chapter 8.5, Article II, Palm Beach County Code, the "Code Enforcement Citation Ordinance of Palm Beach County, Florida", is amended to include the list of infractions attached hereto as Exhibit 1.

Section 2. Repeal of Laws and Ordinances in Conflict

1 All local laws and ordinances in conflict with any provision of this Ordinance are  
2 hereby repealed to the extent of any such conflict.

3 **Section 3. Severability**

4 If any provision, article, paragraph, sentence, clause, phrase, or work of this  
5 Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such  
6 holding shall not affect the remainder of this Ordinance.

7 **Section 4. Inclusion in the Code of Laws and Ordinances**

8 The provisions of this Ordinance shall become and be made a part of the Code of  
9 Laws and Ordinances of Palm Beach County, Florida. The articles and sections of this  
10 Ordinance may be renumbered or relettered to accomplish such, and the word "Ordinance"  
11 may be changed to "Section", "Article", or other appropriate word.

12 **Section 5. Effective date**

13 The provisions of this Ordinance shall become effective upon filing with the  
14 Department of State.

15  
16 APPROVED and ADOPTED by the Board of County Commissioners of Palm  
17 Beach County, Florida, on this the 20th day of June,  
18 2006.

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20  
21 SHARON R. BOCK  
22 CLERK AND COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY  
COMMISSIONERS

23  
24  
25  
26  
27 By: [Signature]  
28 Deputy Clerk

By: [Signature]  
Tony Masilotti, Chairman  
Addie L. Greene, Vice Chairperson

30 APPROVED AS TO FORM AND  
31 LEGAL SUFFICIENCY

32  
33  
34  
35 By: [Signature]  
36 County Attorney

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38  
39  
40 EFFECTIVE DATE: Filed with the Department of State on the 27th day of  
41 June, 2006.  
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**EXHIBIT 1**

Code Provision	Description	Class	Fine Amount
PBC Cable Ordinance Sec. 8-12 (a)	Failure to obtain a permit for the construction, installation, or maintenance of a cable system in County rights-of-way	IV	\$250
PBC Cable Ordinance Sec. 8-12 (a)	Failure to comply with permit conditions as required by the PBC Cable Television R/W Permit	IV	\$250
PBC Cable Ordinance Sec. 8-12 (a), (g)	Failure to comply with applicable County rules, policies and procedures related to the construction, installation, and maintenance of a cable system in County rights-of-way	IV	\$250
PBC Cable Ordinance Sec. 8-12 (b)	Failure to restore rights-of-way as required by County Code	IV	\$250
PBC Cable Ordinance Sec. 8-12 (c), (d)	Failure to comply with construction standards as required by County Code, National Electric Code and/or FDOT Minimum Standards	IV	\$250
PBC Cable Ordinance Sec. 8-12 (d)	Deviation from submitted permit plans without prior approval	IV	\$250
PBC Cable Ordinance Sec. 8-12 (c), (d), (g) PBC PPM #CTO-001	Failure to comply with safety standards as required by County Code, OSHA, National Electric Code and/or FDOT Minimum Standards	IV	\$250



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, Clerk & Comptroller certify  
this to be a true and correct copy of the original  
filed in my office on June 20, 2006  
dated at West Palm Beach, FL on 7/3/06  
By: Diane Brown  
Deputy Clerk